

REMARKS/ARGUMENTS

Claims 1, 2, 4-10 and 12-19 are active in this application. Support for the detection of increased levels of uracil and thymine is found on page 14 of the application. No new matter is added. Favorable reconsideration of the claims is requested.

To address the rejection of Claims 1, 2, 4-10 and 12-19 under 35 U.S.C. § 112, first paragraph, Applicants confirm the following with respect to the hybridoma cell line FERM BP-6870, which has been deposited under the terms of the Budapest Treaty:

All restrictions on the availability to the public of the deposited material will be irrevocably removed upon granting of a U.S. Patent on this application. In accordance with the provisions of biological material deposits under the Budapest Treaty (see MPEP § 2401 through 2411), the depository has agreed to maintain the deposit for (a) thirty years, (b) at least five years after the most recent request for the furnishing of a sample of the deposit is received by the depository, or (c) the enforceable life of the U.S. patent granted from this application, whichever is longest. Furthermore, in the event the deposited material becomes non-viable, it will be replaced.

Withdrawal of this ground of rejection is requested.

The rejection of Claims 10, 15, and 19 under 35 U.S.C. § 112, first paragraph is respectfully traversed.

These method claims correlate an increase of uracil and thymine in the sample relative to a sample obtained from an individual that is not DPD deficient. Once again, written support for this correlation is found on page 14, lines 6-15.

Withdrawal of this ground of rejection is requested.

The rejection of Claims 5, 6, 8, 10, 13 and 15-19 under 35 U.S.C. § 112, second paragraph is obviated by the amendments submitted herein.

Applicants request an early indication that the claims in this application have been allowed.

Respectfully submitted,

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